



**Filed: 3/12/2008**

09500HB4789ham001

LRB095 16947 BDD 47973 a

1 AMENDMENT TO HOUSE BILL 4789

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4789 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Radon-Resistant Residences Act.

6 Section 5. The Task Force on Radon-Resistant Building  
7 Codes.

8 (a) The Radon-Resistant Building Codes Task Force is  
9 created. The Task Force consists of the following members:

10 (1) the Director of the Illinois Emergency Management  
11 Agency or his or her representative, *ex officio*, who is the  
12 chair of the Task Force;

13 (2) a representative of the Home Builders Association  
14 of Illinois;

15 (3) a representative of the Illinois Home Inspectors'  
16 Association;

1           (4) a representative of the International Code  
2 Council;

3           (5) a representative of the Illinois Association of  
4 Realtors;

5           (6) a representative of the American Lung Association  
6 of Illinois;

7           (7) a representative of the American Cancer Society;

8           (8) a representative of the Illinois Municipal League;

9           (9) one member appointed by the Speaker of the House of  
10 Representatives;

11           (10) one member appointed by the Minority Leader of the  
12 House of Representatives;

13           (11) one member appointed by the President of the  
14 Senate; and

15           (12) one member appointed by the Minority Leader of the  
16 Senate.

17           (b) The Task Force shall meet at the call of the chair.  
18 Members shall serve without compensation, but may be reimbursed  
19 for their reasonable expenses from moneys appropriated for that  
20 purpose. The Agency shall provide staff and support for the  
21 operation of the Task Force.

22           (c) The Task Force shall make recommendations to the  
23 Governor, the Agency, the Environmental Protection Agency, and  
24 the Pollution Control Board concerning the adoption of rules  
25 for building codes under Section 10 of This Act.

1 Section 10. Proposed rules for radon control.

2 (a) The Governor, in coordination with the Illinois  
3 Emergency Management Agency, the Environmental Protection  
4 Agency, and the Pollution Control Board, shall propose rules  
5 for radon control for all new residential buildings. These  
6 proposed rules must incorporate the radon control methods set  
7 forth in the International Residential Code appendix as the  
8 model language, with changes necessary to comply with existing  
9 construction codes in the State.

10 (b) Notwithstanding any other rulemaking authority that  
11 may exist, neither the Governor nor any agency or agency head  
12 under the jurisdiction of the Governor has any authority to  
13 make or promulgate rules to implement or enforce the provisions  
14 of this Act. The Governor shall propose rules to the General  
15 Assembly by filing them with the Clerk of the House and the  
16 Secretary of the Senate and by requesting that the General  
17 Assembly authorize such rulemaking by law, enact those proposed  
18 rules into law, or take any other appropriate action in the  
19 General Assembly's discretion. Nothing contained in this Act  
20 shall be interpreted to grant rulemaking authority under any  
21 other Illinois statute where such authority is not otherwise  
22 explicitly given.

23 (c) For the purposes of this Section, "rules" is given the  
24 meaning contained in Section 1-70 of the Illinois  
25 Administrative Procedure Act, and "agency" and "agency head"  
26 are given the meanings contained in Sections 1-20 and 1-25 of

1 the Illinois Administrative Procedure Act to the extent that  
2 such definitions apply to agencies or agency heads under the  
3 jurisdiction of the Governor.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law."